

EXHIBIT 2



United States Department of the Interior

ALASKA NATIVE CLAIMS APPEAL BOARD
P.O. BOX 2433
ANCHORAGE, ALASKA 99510

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JUNEAU AREA OFFICE
BUREAU OF INDIAN AFFAIRS
JUNEAU, ALASKA

IN RE: Woody Island)
ANCAB #VE 74-46)
(Sierra Club))
ANCAB #VE 74-65)
(Holdsworth, et al.))

FINAL ORDER DISMISSING
THE APPEALS OF
SIERRA CLUB,
ALASKA WILDLIFE FEDERATION &
SPORTSMEN'S COUNCIL, INC.,
AND PHIL R. HOLDSWORTH

AND
CERTIFYING VILLAGE

TO: All parties on attached distribution list:

The Alaska Native Claims Appeal Board pursuant to delegation of authority in the Alaska Native Claims Settlement Act (P.L. 92-203) 85 Stat. 683, 43 U.S.C. §§1601-1624, and the implementing regulations in 43 CFR, Part 2650, hereby makes the following findings, conclusions and Final Order dismissing the above-designated appeals from the Final Decision of the Director, Juneau Area Office, Bureau of Indian Affairs (hereafter referred to as the Area Director), on the eligibility of the Village of Woody Island for benefits under the Alaska Native Claims Settlement Act, published in 39 Fed. Reg. 6627 (1974).

1. Pursuant to the regulations in 43 CFR, Part 2650, and Secretarial Order No. 2965, dated June 10, 1974, the Area Director is the officer of the United States Department of the Interior who is authorized to make Final Decisions on behalf of the Secretary on the eligibility of Native villages for benefits under the Alaska Native Claims Settlement Act, subject to appeal to this Board, and the approval of the Secretary of the Interior.

2. On February 21, 1974, in pursuance of the regulations in 43 CFR, Part 2650, the Area Director published his Final Decision on the eligibility of the Native Village of Woody Island in 39 Fed. Reg. 6627 (1974).

3. On March 22, 1974, a Notice of Appeal from the Final Decision of the Area Director on the eligibility of the said village was filed by the Alaska Wildlife Federation and Sportsmen's Council, Inc., and Phil R. Holdsworth.

4. On March 21, 1974, a Notice of Appeal from the Final Decision of the Area Director on the eligibility of the said village was filed by the Sierra Club.

5. On May 20, 1974, the Alaska Wildlife Federation and Sportsmen's Council, Inc., and Phil R. Holdsworth filed with the Board a Notice of Inability to Continue in Appeals Proceedings, requesting that the Board continue to consider the points of law raised by these same appellants prior to May 20, 1974. The Board, therefore, by Notice and Order dated May 24, 1974, dismissed the Alaska Wildlife Federation and Sportsmen's

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Council and Phil R. Holdsworth as parties appellant before the Board and granted them the status of amici curiae.

6. On July 13, 1974, the Sierra Club filed with the Board a Withdrawal of Protest of the eligibility of the Village of Woody Island.

7. There are no other parties of record before the Board adverse to the eligibility of the Village of Woody Island.

8. The Board has considered the briefs previously filed by the Alaska Wildlife Federation and Sportsmen's Council and Phil R. Holdsworth, and finds the legal arguments advanced therein to be without sufficient merit to justify the continuance of these proceedings.

Based upon the above findings and conclusions, the Board hereby dismisses the above-designated appeals from the Final Decision of the Area Director on the eligibility of the Native Village of Woody Island.

There being no other appeals relating to the eligibility of said village, and the time having passed within which appeals can be brought concerning said village, the Final Decision of the Area Director certifying the Native Village of Woody Island as eligible for benefits under the Alaska Native Claims Settlement Act is now final.

THEREFORE, the Area Director is directed to certify the Native Village of Woody Island as eligible for benefits under the Alaska Native Claims Settlement Act, and to publish the information contained herein in the Federal Register.

The administrative record of the Bureau of Indian Affairs, together with a copy of this Final Order, will be promptly returned to the Director, Juneau Area Office, Bureau of Indian Affairs.

Pursuant to Secretarial Order No. 2965, this Final Order shall become final upon approval by the Secretary of the Interior.

DATED this 28th day of August, 1974, at Anchorage, Alaska.

Judith M. Brady
JUDITH M. BRADY
Chairman

APPROVED: September 9, 1974

Robert B. Morton
Secretary of the Interior

Final Order Dismissing the Appeals of Sierra Club, Alaska Wildlife Federation and Sportsmen's Council, Inc., and Phil R. Holdsworth and Certifying Village, August 28, 1974, RE: Woody Island VE 74-46, 74-65.

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